



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D.M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2401880

Applicant: Jeff Kiser for Schnitzer Northwest, Architect John Savo of NBBJ

Address: 1918 8th Avenue

SUMMARY OF PROPOSED ACTION

Master Use Permit to establish the use for the future construction of a 13 story building containing 230,000 square feet of administrative office over 8,950 square feet of retail. Parking for 235 vehicles will be provided below grade. The existing structure will be demolished.

The following approvals are required:

Design Review - Chapter 23.41, (SMC)

SEPA Environmental Determination - Chapter 25.05, (SMC)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS*

☐ DNS with conditions

BACKGROUND INFORMATION:

Site Development

The site is located at 1918 8th Avenue on a quarter block on the corner of 8th Avenue and Virginia Street. This block has an alley. The site drops approximately 6' along 8th Avenue to Virginia. The property is zoned Downtown Office Core 2 which has a basic height limit of 300 feet. (DOC 2-300). The property is within the Denny Triangle sector of the Downtown Section of the Land Use Code and is within the Downtown Hub Urban Village. Surrounding zoning is DOC 2-300. Zoning across Virginia Street is DMC-240.

Area Development

The site is on the edge of the “built-up” part of Downtown Seattle with a number of new structures nearby to the south and west. The new 380’ high Nakamura Federal Courthouse building is immediately across 8th Avenue and the new Seattle Police Department with the neighborhood Community Meeting room is immediately across Virginia Street. New development is proposed across the alley on the other half of the block. A one story restaurant and the Telco Credit Union are located to the south of the site.

ANALYSIS - DESIGN REVIEW

EARLY DESIGN GUIDANCE – May 18, 2004

Two early design guidance meetings were held for this project to receive early input from the board on design issues. The meetings were held on May 18, 2004 and September 28, 2004. The Recommendation meeting was held February 8, 2005.

Architect’s Presentation

Ev Ruffcorn of ZGF Architects made the presentation for the proposal. The applicant proposes a 13-14 story office building with about 8,400 square feet of retail, underground parking and approximately 250,000 sf of office use. The architect presented 3 design concepts which vary in vehicle access options, building core placement, height and upper level setback configurations. The conceptual design shows proposed heights of less than 300 feet. The proposal includes approximately 250 parking stalls below grade.

The architect presented three dimensional diagrams of the proposed structure and options under study.

The solar exposure of the site was discussed, with the architect preferring to provide the required office-worker open space on top of the proposed lower building mass in the southern portion of the site.

At the time of Early Design Guidance, the architect contemplated departures from the Downtown Land Use Code relating to:

1. Departures from upper level development standards
2. Garage access.

Board Clarifying Questions and Comments

The Board asked questions to clarify the nature of the open space on the south 18 feet of the building. They asked for more information to describe the design and use of the open space. The Board noted that it could be dark and narrow when another building is built at the property line at that façade. The Board asked if the vehicle access options were interchangeable among the options. Heights of the building would vary with the scheme.

Public Comments

There were 4 members of the public present. One member of the public asked how many parking spaces were planned and where would they be located. 260 parking spaces are proposed in 4 floors of underground parking.

Board Discussion

The Board recognized the various vehicle access options, but will require more information from the project proponents to understand why something other than alley access should be considered. They asked the proponents to provide more information on the alley configuration and traffic flow/numbers, and proposed development across the alley. The Board asked for more information on the south side setback proposed for open space. They asked for more information to understand the setback massing as it relates to the proposed Westlake Plaza cater-cornered to this site.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the siting and design guidance described below and identified by letter and number those siting and design guidelines found in the City of Seattle's "*Design Review: Guidelines Downtown Development*" of highest priority to this project.

DESIGN GUIDELINES

B Architectural Expression

Relating to the Neighborhood Context

B-1 Respond to the neighborhood context.

Develop an architectural concept and compose the major building elements to reinforce desirable urban features existing in the surrounding neighborhood.

B-2 Create a transition in bulk & scale.

Compose the massing of the building to create a transition to the height, bulk, and scale of development in neighboring or nearby less intensive zones.

The Board asked the architects to find the datum lines of the neighborhood to form the basis of their project bulk and scale for a sympathetic design. The corner massing at 8th and Virginia should have "cut -aways". The Board asked the designers to find an area at the corner for the public.

C The Streetscape

Creating the Pedestrian Environment

C-1 Promote pedestrian interaction.

Spaces for street level uses should be designed to engage pedestrians with the activities occurring within them. Sidewalk-related spaces should be open to the general public and appear safe and welcoming.

C-4 Reinforce building entries.

To promote pedestrian comfort, safety, and orientation, reinforce the building's entry.

The Board asked that the architects work within the code and to show why vehicle access from the alley is not workable. Study options 1, 2, and 3 with interchangeable access. The Board's preferred access is from the alley, but more information needs to be presented.

D Public Amenities

Enhancing the Streetscape & Open Space

D- 1 Provide inviting & usable open space.

Design public open spaces to promote a visually pleasing, safe, and active environment for workers, residents, and visitors. Views and solar access from the principal area of the open space should be especially emphasized.

D- 3 Provide elements that define the place.

Provide special elements on the facades, within public open spaces, or on the sidewalk to create a distinct, attractive, and memorable "sense of place" associated with the building.

The Board highlighted these guidelines as of highest priority in the design of this building, emphasizing the public aspect of the guideline, and noting that public open space should be provided at the corner of Virginia and 8th Avenue. Private open space should maximize solar exposure. The Board requested a design proposal that demonstrates a "this century" evolution in the Denny triangle. The design should be expressive from a sculptural standpoint, striving in a "21st century sense".

D-4 Provide appropriate signage.

Design signage appropriate for the scale and character of the project and immediate neighborhood. All signs should be oriented to pedestrians and/or persons in vehicles on streets within the immediate neighborhood.

D-5 Provide Adequate Lighting

To promote a sense of security for people downtown during nighttime hours, provide appropriate levels of lighting on the building façade, on the underside of overhead weather protection, on and around street furniture, in merchandising display windows, and on signage.

D-6 Design for Personal Safety and Security

Design the building and site to enhance the real and perceived feeling of personal safety and security in the immediate area.

The Board asked the designers to provide information on the above three guidelines at the next meeting.

E Vehicular Access & Parking

Minimizing the Adverse Impacts

E-1 Minimize curb cut impacts.

Minimize adverse impacts of curb cuts on the safety and comfort of pedestrians.

The Board selected this design guideline in an effort to encourage a high quality pedestrian environment in the area and to minimize the use of the street right of way for vehicular access.

The guidelines above were all chosen by the board to be high priority.

DEPARTURE DISCUSSION

The Board commented that they were willing to entertain departures, but wanted to see initial design responses related to the departures

2nd EARLY DESIGN GUIDANCE MEETING - September 28, 2004

The architect for the proposal, Ev Ruffcorn briefly oriented the Board to the site location and pertinent zoning aspects of the site. He described the project design goals to contribute to the Denny Triangle with a modern building. The architect's response to the Board request of an interesting "top" to the building resulted in the current proposal for a screen wall to enclose the mechanical equipment which would become a sculptural element of the upper level design. The alley will have a 2 foot cantilever above 16 feet.

The sidewalk will be 19 feet rather than the 15 required on 8th Avenue. There will be overhead weather protection. The architect proposes to articulate the corner at 8th and Virginia by using very clear glass which will contrast with the glass on the rest of the building therefore creating an element of interest on the corner. The street level will have tall glass walls for retail uses inside. Fins on the building façade are proposed to be used on the facades for shadow. A random fin pattern was presented. The arcade depth at the street level will be 4 feet clear on 8th Avenue.

The architect presented the floor plan concepts which relate to the vehicle entry and egress. One concept provided large retail spaces on the corner of 8th and Virginia. The Transpo Group presented traffic analysis and alley analysis to illuminate different access scenarios. The project proposal is for entry and exit on Virginia. If a right in and right out vehicle condition is accepted then the proposed amount of traffic in the immediate area would be best served. The alley design scenario is one that the project may pursue with SDOT.

Clarifying Questions by the Board.

Board members asked clarifying questions on column width, arcade width, parapet and screen wall configuration, open space departure amount, upper level setback departure, permit activity across the alley. The Board asked the architect to clarify the lighted screen wall concept for the top of the building.

MASTER USE PERMIT

The project proponents applied for a Master Use Permit (MUP) on November 2, 2004.

RECOMMENDATION MEETING-- February 22, 2005

The new design team was introduced to the Board, John Savo of NBBJ Architects. The Architect oriented the Board to the area and the site. The new design team took the design direction of the former team and considered the Board's comments and design priorities as they studied design concepts for this mid-rise infill project. The entry will be on 8th Avenue to relate to the Federal Building and retail center of downtown Seattle. An indoor lobby will be available on the second

floor next to the outdoor open space. The lobby should make the “open space” more useable during the full year. There will be retail shops at the sidewalk level. Glass, steel and fabric canopies and awnings are proposed on the street level. The architect explained building modulation at the street level and upper levels. Proposed materials and colors were presented by the designers. The vehicle access remains as presented previously on Virginia Street.

Board Clarifying questions.

The Board asked clarifying questions of the design team to fully understand lighting and pedestrian access issues, location of retail, entry and exits to the 2nd floor open space and ceiling height of the 2nd floor lobby.

Board Deliberations

The Board agreed that the parking access location is good as presented. The retail on Virginia is important to retain at this location and awnings signaling the retail should be further explored to see if the fabric awnings are the proper form and material at this location. The corner of the building could address or communicate with the Seattle Police precinct across the street a bit better, but the general form of the building is appropriate for the intended use and at this location. The small strip of windows proposed on the north and south facades need to be explored further. Their form seems to detract from the overall façade design whereas a different fenestration could enhance the façade. The extended colonnade at the entrance on 8th Avenue is appropriately sized for pedestrians yet should have a clear architectural feature to signal the entry doors. The spacing of the colonnades, less than 15 feet apart, is approved at this location. Lighting in the colonnade is important to retain as rich and clear lighting.

The applicant proposed several development standard departures outlined in the following table:

Zoning Departures Matrix

Item #	Development Standard	Requirement	Proposed	Board Recommendation Departure
1	SMC 23.49.009 Open Space	20 SF for every 1,000 GSF of office space $.02 \times 223,759 = 4475$ SF	2,028 SF of exterior open space	$4475 - 2028 = 2447$ SF
2	SMC 23.49.018 Standards for location of access to parking	Alley access preferred	Parking access off Virginia Street	Access is not most preferred from alley
3	SMC 23.49.078A Downtown Office Core 2, upper-level development Standards – Coverage Limits	Above an elevation of 125', the coverage within 20' of each street property line and 60' of intersecting street property lines is limited to 40%. Coverage limit area = 7199 SF $40\% \times 7199 = 2880$ SF	Coverage = 6333 SF	$6333 - 2880 = 3453$ SF

4	SMC 23.49.078B Downtown Office Core 2, upper-level development Standards – Maximum Facade Lengths	<ul style="list-style-type: none"> Above an elevation of 125', maximum facade length is limited to 120'. To be considered a separate facade, it must be set back at least 15' from the property line. 	<ul style="list-style-type: none"> Principal facade on 8th Avenue is 124' long. Separate facade is set back 5' for the full height of the building. 	<ul style="list-style-type: none"> Principal facade exceeds maximum length by 4'. Separate facade setback is short of requirement by 10'.
5	SMC 23.49.022 Minimum sidewalk and alley widths	<ul style="list-style-type: none"> Sidewalk shall be 15 feet wide. 	<ul style="list-style-type: none"> Portions of sidewalk will be less than 15' due to column in sidewalk. Space between columns is 11'8". 	<ul style="list-style-type: none"> Departure is 8 columns of 3'4". 26'8" departure over a length of 124 feet. Column spacing is acceptable.

Related Guidelines and Reasoning - Recommendations by Design Review Board 02/22/2005

Departure #1

D-1 Provide inviting & usable open space

- Of 4,475sf required, 2,028sf will be outdoors, and the remainder immediately adjacent in a shared common area with building amenities
- The combination indoor/outdoor space is better suited for Seattle's climate and will encourage year round use

The Board recommended approval of the departure after discussion to understand the height and depth of the interior Lobby space, how the space will be used by the public, the presence of clusters of chairs and a kiosk for beverages and snacks.

Departure #2

E-1 Minimize curb cut impacts

- As previously demonstrated by the traffic engineer, anticipated traffic queuing in the alley precludes alley access to the garage
- The rising grade of the alley strongly encourages a street entrance
- With the entry off Virginia, the ramp is shorter and more retail area is possible
- Access is priority "c" in ranked options ranging from "a" to "g".

The Board reviewed the traffic engineer's information and surrounding development which will be using the alley into special consideration in allowing this departure. In all the Board felt that this solution would help supply retail space at the sidewalk level, control alley traffic and traffic on Virginia Street. The access will be well designed with finish materials extending into the 'garage' and well lit. Right in and out restrictions will make the access a controlled access.

Departure #3

B-2 Create a transition in bulk & scale

- In order to avoid a blank facade, the building is set back 20' from the south property line
- Building will be bracketed by much taller and larger buildings – the new US Courthouse on the west and the permitted Century tower to the east
- Sculpting the building at its 4 corners and top, rather than at the 125' mark, avoids potentially awkward massing and is more appropriate for the location
- The area sculpted from the building and non-required setbacks is considerably more than the area limitation

The Board agreed with the design team's analysis and solution that providing the open space and sculpting the building will result in a design that better meets this design review guideline.

Departure #4

B-2 Create a transition in bulk & scale

- The indents occur on all sides of the building rather than on street fronts only
- Due to the more uniform massing parti, the design is stronger without the additional setback
- Cumulative area of indents over full height is greater than area lost due to restriction of upper level facade length

The Board agreed with the design team's analysis and solution that providing the open space and sculpting the building will result in a design that better meets this design review guideline. The building cut-aways are appropriate for this building and design approach and location.

Departure #5

D3 Provide elements that define the place

B2 create a transition in bulk and scale

C4 Reinforce building entries

D3 Provide elements that define the place

The Board recommended allowing the columns in the pattern and rhythm shown to help signal the entry façade and the entry door break in the colonnaded façade. The colonnade itself will be an interesting architectural element at the pedestrian level.

The Board saw several working versions of the building to comment on the building form, access and departures among other topics. The Board was pleased with the outcome of the design development. Two concerns regarding window elements and the retail awnings were referred to the DPD planner to work out to a satisfactory conclusion with the applicant. The applicant and the project planner reviewed alternatives provided by the applicant and resolved the two issues. The departures are acceptable to the Board in that they help the development better meet the priority guidelines.

Board Recommendation:

After considering the proposed design and the project context, hearing public comment, and reconsidering the previously stated design priorities, the five (5) Design Review Board members felt that all of the guidance the architect received had been successfully addressed by the applicant. In addition, all five of the Board members in attendance supported the Departures. The Design Review Board recommended **approval** of the design.

ANALYSIS AND DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that they are consistent with the City of Seattle *Design Review Guidelines for Downtown Office Buildings* and that the development standard departures present an improved design solution, better meeting the intent of the Design Guidelines, than would be obtained through strict application of the Seattle Land Use Code. Therefore, the Director **approves** the proposed design as presented in the official plan sets on file with DPD as of the August 3, 2005. The Design Review Board meeting and the recommended **development standard departures** described above are **approved**.

ANALYSIS – SEPA

The Director of the Department of Planning and Development (DPD) has determined that the proposal is not likely to have probable significant adverse environmental impacts.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short - Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Storm water, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment.

Air Quality

The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality and will require permits for removal of asbestos (if any) during demolition. However, there is no permit process to ensure that PSCAA will be notified of the proposed demolition. A condition will be included pursuant to SEPA authority under SMC 25.05.675 A, requiring a copy of the PSCAA permit be submitted to DPD before issuance of the demolition permit. This will ensure proper handling and disposal of asbestos, if it is encountered on the proposal site.

Noise

During the review period for the Environmental Impact Statement, concern was expressed by a member of the public concerning the amount of construction noise that would be generated by the project. The project is estimated to take approximately 24 months from the start of demolition

activities through the issuance of a Certificate of Occupancy. Due to lengthy construction schedules, control of noise impacts that could possibly affect both adjacent residential and commercial uses in the area appears warranted. The City's Noise Ordinance (SMC 25.08) establishes maximum permissible sound activities that the project intends to adhere to.

Transportation

Truck & Equipment: Construction of the project will involve approximately 35,000 cubic yards of grading for the building foundation and subterranean garage. In addition to the activities involving the demolition of the existing structures, there will be construction to stabilize the site prior to construction of the building. These activities will take place over several weeks or months and generate significant truck trips. The Municipal Code (SMC 11.74.160) states that material hauled in trucks shall be loaded so no debris falls onto the street or alley during transport. This Code (SMC 11.62.060) also requires truck-trailer or truck semi-trailer used for hauling to use major truck streets and take the most direct route to or from one of the major truck streets to their destination.

Long - Term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site; increased traffic in the area and increased demand for parking; increased demand for public services and utilities; and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Storm water, Grading and Drainage Control, the City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts that are not considered significant.

Energy

It is estimated that the proposal would consume significant amounts of electricity. This project contributes to overall load growth for the region, and could have impacts on the environment associated with new generation projects. Adherence to Seattle Energy Code minimum performance levels should help to reduce maximum energy consumption and effectively mitigate impacts energy resources. However, the project proponent should consult with Seattle City Light on measures available through the "Energy Smart Design" program to further reduce energy consumption by the development. No mitigation pursuant to 25.05.675.E is warranted.

Transportation

The proposed project is expected to generate a net increase of 780 trips per day, 157 trips during the AM peak hour, and 143 trips during the PM peak hour. Most of the intersections in the immediate vicinity of the site would operate at good levels of service (LOS A or B) during both the morning and afternoon peak hours.

The proposed project would construct 235 underground parking spaces .To reduce the project's trip generation and thus minimize potential traffic and parking-related impacts, the project proponent will implement a Transportation Management Plan (TMP) for the building. The TMP will be consistent with the City's Director's Rule 14-2002. The single-occupant vehicle (SOV) goal for this TMP shall be 50% with in three years after the site's initial survey, to achieve a 40 percent (40%) Maximum SOV commute trip rate within six years, and a 30 percent (30%) SOV commute trip rate within 9 years to be maintained for the life of the project.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. A Supplemental EIS is not required under RCW 43.21C.030 2c.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2c.

CONDITIONS – DESIGN REVIEW

Non-Appealable Conditions

1. Any proposed changes to the exterior of the building or the site or must be submitted to DPD for review and approval by the Land Use Planner (Holly Godard 206-615-1254). Any proposed changes to the improvements in the public right-of-way must be submitted to DPD and SDOT for review and for final approval by SDOT.
2. Compliance with all images and text on the MUP drawings, design review meeting guidelines and approved design features and elements (including exterior materials, landscaping and ROW improvements) shall be verified by the DPD planner assigned to this project (Holly Godard 206-615-1254), or by the Design Review Manager. An appointment with the assigned Land Use Planner must be made at least (3) working days in advance of field inspection. The Land Use Planner will determine whether submission of revised plans is required to ensure that compliance has been achieved.
3. Embed all of these conditions in the cover sheet for the MUP permit and for all subsequent permits including updated MUP plans, and all building permit drawings and embed the colored MUP recommendation drawings in the building permit plan sets.

For the life of the Project.

4. The interior Lobby space will have clusters of chairs and a kiosk for beverages and snacks.
5. The vehicle access will be well-designed with finish materials extending into the ‘garage’ and well lit.

CONDITIONS – SEPA

Prior to issuance of any Construction or Grading Permits

6. The owner and/or responsible party shall record with King County Department of Records and Elections a letter in a format similar to that in Attachment A of Director's Rule 14-2002 acknowledging the permit conditions related to the TMP requirements. A copy of the recorded document, showing the recording number, shall be filed with DPD prior to permit issuance and include the components indicated and referenced above in this Decision.

Prior to Issuance of Demolition Permits

7. The applicant shall submit to DPD a copy of the PSCAA Notice of Intent to Demolish prior to issuance of the DPD demolition permit.

Signature: (signature on file) Date: August 25, 2005
Holly J Godard, Land Use Planner
Department of Planning and Development